



GP 1804
JG
PATENT
Attorney's Docket No. 003300-293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

PER HOFVANDER, PER T. PERSSON)
ANNELI TALLBERG (Deceased),) Office of the Assistant
OLLE WIKSTRÖM) Commissioner for Patents
) Attention: Mr. Vince Turner

Serial No.: 08/070,455)

Filed: June 9, 1993)

For: GENETICALLY ENGINEERED)
MODIFICATION OF POTATO TO)
FORM AMYLOPECTIN-TYPE)
STARCH)

SUBMISSION PURSUANT TO 37 C.F.R. §1.42 AND 1.44

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Application is pending in Group Art Unit 1804, and is based upon International Application No. SE91/00892 filed December 20, 1991. An official Filing Receipt has been issued that identifies LENNART HANSSON as the Legal Representative for the deceased inventor, ANNELI TALLBERG.

The present documentation is being submitted in order to fully satisfy the provisions of 37 C.F.R. §1.42 and 1.44 following a November 23, 1993 discussion with Magdelen Y.C. Greenlieff of the U.S. Patent and Trademark Office.

As previously indicated, the joint-inventor, ANNELI TALLBERG, is deceased. This deceased joint-inventor had two children who were her sole heirs. They are Maria Torper (a surviving daughter who is of age) and Olof Torper (a surviving son who is underage). Tommy Tallberg was appointed as Guardian for the surviving underage son, Olof Torper.

Attached as Exhibit A is new Declaration signed by the three living joint-inventors, Maria Torper as heir, and Tommy Tallberg as Guardian for the other heir, Olof Torper.

Attached as Exhibit B is a certified copy of the Estate Inventory of the deceased joint inventor, Anneli Tallberg. This was certified by a Notary Public and the Lund District Court

of Sweden, and is authenticated by Justice B. Stevens, Consul of the United States of America.

The sole heirs of the deceased are identified.

Attached as Exhibit C is a certified copy from the Guardianship Book of the Lund District Court with respect to the underage son, Olof Torper, of the deceased joint-inventor, Anneli Tallberg. This was certified by a Notary Public and by the Lund District Court of Sweden, and is authenticated by Justice B. Stevens, Consul of the United States of America. Tommy Tallberg was appointed to serve as Guardian for the underage son, Olof Torper.

Attached as Exhibit D is a verified English translation of the Estate Inventory (*i.e.*, Exhibit B) and the Guardianship Book (*i.e.*, Exhibit C) prepared by Charlotta Kristensson. It will be noted from the Estate Inventory that the deceased, Anneli Tallberg left two children who were the sole heirs (*i.e.*, Maria Torper and Olof Torper). It will be noted from the Guardianship Book that Tommy Tallberg was appointed Guardian or Legal Representative for the underage son, Olof Torper, of the deceased joint-inventor, Anneli Tallberg.

The issuance of a new Official Filing Receipt that reflects the information contained herein respectfully is requested. Documentation in full compliance with 37 C.F.R. §1.42 and 1.44 has been provided.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS

By 

Benton S. Duffett, Jr.
Registration No. 22,030

Burns, Doane, Swecker & Mathis
George Mason Building
Washington & Prince Streets
P.O. Box 1404
Alexandria, Virginia 22313-1404

Filed: November 24, 1993

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

Attorney Docket No.

003300-293

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

GENETICALLY ENGINEERED MODIFICATION OF POTATO TO FORM AMYLOPECTIN-TYPE STARCH

the specification of which

(check one)

is attached hereto;
 was filed on June 9, 1993 as
Application Serial No. 08/070,455
and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

COMBINED DECLARATION AND POWER OF ATTORNEY			Attorney Docket No. 003300-293
COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
Sweden	9004096-5	21 December 1990	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Alan E. Kopecki	25,813	R. Danny Huntington	27,903
Peter H. Smolka	15,913	Regis E. Slutter	26,999	Eric H. Weisblatt	30,505
Robert S. Swecker	19,885	Samuel C. Miller, III	27,360	James W. Peterson	26,057
Platon N. Mandros	22,124	Ralph L. Freeland, Jr.	16,110	Teresa Stanek Rea	30,427
Benton S. Duffett, Jr.	22,030	Robert G. Mukai	28,531	Robert E. Krebs	25,885
Joseph R. Magnone	24,239	George A. Hovanec, Jr.	28,223	Robert M. Schulman	31,196
Norman H. Stepno	22,716	James A. LaBarre	28,632	William C. Rowland	30,888
Ronald L. Grudziecki	24,970	E. Joseph Gess	28,510	T. Gene Dillahunty	25,423
Frederick G. Michaud, Jr.	26,003	David D. Reynolds	29,273	Anthony W. Shaw	30,104

and: NONE

Address all correspondence to:

Benton S. Duffett, Jr.
Burns, Doane, Swecker & Mathis
George Mason Building
Washington and Prince Streets
P.O. Box 1404
Alexandria, Virginia 22313-1404

Address all telephone calls to: Benton S. Duffett, Jr. at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Per Hofvander	SIGNATURE <i>Per Hofvander</i>	DATE 930914
RESIDENCE Falsterbo, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Doppinggränd 8, S-230 11 Falsterbo, Sweden		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Per T. Persson	SIGNATURE <i>Per T. Persson</i>	DATE 930980
RESIDENCE Kristianstad, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Travgatan 9, S-291 65 Kristianstad, Sweden		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Olle Wikström	SIGNATURE <i>Olle Wikström</i>	DATE 930920
RESIDENCE Kristianstad, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Wasagatan 1, S-291 53 Kristianstad, Sweden		

FULL NAME OF FOURTH JOINT INVENTOR	SIGNATURE	
ANNELI TALLBERG (deceased) by all of her heirs as Legal Representative as identified hereafter:		
(a) Maria Torper (surviving daughter who is of age)	<i>Maria Torper</i>	11/9-93
(b) Olof Torper (underage surviving son) by Tommy Tallberg as Guardian or "God Man" under Swedish law for Olof Torper	<i>Olof Torper</i>	11/9-93

Residence: Lund, Sweden

Post Office Address: Drapavägen 69, S-223 74 Lund, Sweden

Citizenship: Sweden

FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF NINTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF TENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF ELEVENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

GENERAL AUTHENTICATION CERTIFICATE

KINGDOM OF SWEDEN)
CITY OF STOCKHOLM) SS
EMBASSY OF THE)
UNITED STATES OF AMERICA)

I do hereby certify that the official named below, whose true signature and official seal are, respectively, subscribed and affixed to the annexed document, was, on this day, empowered to act in the official capacity designated in the annexed document, to which faith and credit are due.

Örjan Landelius, Counsellor, Second Division, Legal Department,
(Typed Name of Official) Ministry for Foreign Affairs
Stockholm, Sweden


(Signature of Consular Officer)

**Justice B. Stevens
Consul of the United States
of America**

(Name of Consular Officer)

August 23, 1993
(Date)

(SEAL)

297

۳۸

ADVOAKATFIRMAN
HEDENER & PENSER
 ADVOKAT LENNART HANSSON AB
 ESLÖV

I samarbete med
 ADVOKAT WILH. PENSER
 ADVOKAT BO GÖRAN PERSSON
 ADVOKAT JONAS EILERT

10 29

179

28 2 93

B O U P P T E C K N I N G

Med början den 13 augusti 1992 har förrättats bouppteckning efter
Anneli Marie Tallberg Torper, Drapavägen 69, 224 74 Lund, som
 var född den 15 september 1945 och avled den 11 juli 1992.

- 1508 ✓

Den avlidna efterlämnar som dödsbodelägare:

BARNEN

- **✓1. Maria Alice Torper**, 740223-3923, Drapavägen 69, 224 74 LUND
- **2. Anders Olof Torper**, 760128-4032, Drapavägen 69, 224 74 Lund

Det antecknades att vid förrätningen var närvarande sambon Eskil Persson, Drapavägen 69, 224 74 Lund, numera Kastanjegatan 21:7, 224 56 Lund, testamentstagare Ulf Torper, Sångarevägen 20 E, 224 71 Lund, såsom förmyndare för Olof Torper samt Tommy Tallberg, 401112-4510, Nyckelkroken 25, 226 47 Lund, såsom föreslagen god man för Olof Torper.

Det antecknades att den avlidna efterlämnar testamente av den 25 juni 1992, Bil. 1.

Det antecknas vidare att Eskil Persson påkallat bodelning i anledning av samboförhållandet, Bil. 2.

Boet uppgavs av Eskil Persson. Tillgångar och skulder antecknades och värderas på följande sätt.

298

Postadress	Gatuadress	Telefon	Org.-nr	Telefax	Postgiro	Bankgiro
Box 201 241 23 Eslöv	Södergatan 2 241 30 Eslöv	Växel 0413-132 40	12-556209-1255	0413-606 19	634 65 05-8	5362-0928

TILLGÅNGAR

Bankmedel

Sparbanken Skåne, Bil. 3

7.379:34 ✓

Fordringar

Svalöf AB, innestående lön

12.157:10

Försäkringskassan, sjukpenning

3.277:--

Överskjutande skatt enligt 1992 års taxering, Bil. 4

12.542:-- ✓

Personbil

Volvo 360 GLE 1988 års modell, 7.600 mil

35.000:-- ✓

Insats- och medlemskonto

Konsumentföreningen Solidar, Bil. 5

476:70 ✓

Lösöre, Bil. 6

3.100:-- ✓

Fastighet

Lund Erik Plogpenning 29, Bil. 7, 1/2

492.000:-- ✓

Kronor

565.932:14 -

=====

SKULDER

Länsbostadsnämnden, Bil. 8, 1/2

106.647:41 ✓

SPINTAB, Bil. 9, 1/2

299.966:50 ✓

Svenska Handelsbanken, Bil. 10

4.295:-- ✓

Lunds Energiverk

1.148:--

Malmöhus läns landsting, vårdkostnader

2.800:--

Kronor

414.856:41 91

=====

299

AVGÅENDE POSTER

Begravningskostnader	13.908:--
Gravsten	8.500:--
Bouppeteckningskostnader	<u>4.500:--</u>
Kronor	26.908:--

=====

SAMMANSTÄLLNING

Tillgångar	565.932:14
Skulder	414.856:41
Avgående poster	<u>26.908:--</u>
Behållning i boet kronor	124.167:73 23-

=====

FÖRSÄKRINGAR

TryggHansa/SPP, Bil. 11
Förenade Liv, Bil. 12
Förenade Liv, Bil. 13
SparLiv, Bil. 14
Folksam, Bil. 15
Wasa, Bil. 16

Jag försäkrar härmed på heder och samvete att mina uppgifter till bouppeteckningen är i allo riktiga och att inte något med vilja och vetskaps är utelämnat. Jag försäkrar vidare att något sådant förvärv som avses i 19 § lag (1941:416) om arvsskatt och gävovskatt inte förekommit.

Lund den 27/10 1992

Eskil Persson

Eskil Persson

Vif förrättningsmän intygar att allt blivit rätteligen antecknat och
att tillgångarna värderats efter bästa förstånd.

Lennart Hansson

Lennart Hansson
Advokat
Box 201
241 23 Eslöv

Britt Sahlén Olfsson

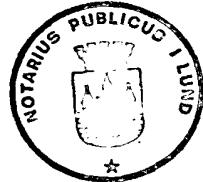
Britt Sahlén Olfsson
Sekreterare
Box 201
241 23 Eslöv

Närvarande

Lennart Hansson
Maria Törner

NOTARIS PUBLICUS
Lars Persson
Kontor i Lund
koppar av originalat

tingsnotarie Lars Persson



FOTOSTATIC

från
Advokatfirma
Hedener & F
ESLOV

Britt Sahlén Olfsson
et Lund

Härmed intygas att Lars Persson egenhändigt
vidimerat denna handling och att han där till
är behörig.

Lund den 12 augusti 1993

Ex officio:

Helen Kinnman
Notarius Publicus

Dnr 303/93
Avgift SEK 100

GENERAL AUTHENTICATION CERTIFICATE

KINGDOM OF SWEDEN)
CITY OF STOCKHOLM) SS
EMBASSY OF THE)
UNITED STATES OF AMERICA)

I do hereby certify that the official named below, whose true signature and official seal are, respectively, subscribed and affixed to the annexed document, was, on this day, empowered to act in the official capacity designated in the annexed document, to which faith and credit are due.

Örjan Landelius, Counsellor, Second Division, Legal Department,
(Typed Name of Official) Ministry for Foreign Affairs
Stockholm, Sweden


(Signature of Consular Officer)

Justice B. Stevens
Consul of the United States
of America
Name of Consular Officer

August 23, 1993
(Date)

(SEAL)

303

Den för vilken god man förordnats (namn, yrke och hemvist; för bortavarande delägare i dödsbo även den dödes namn och sista hemvist)

Torper, Anders Olof, 760128-4032, Drapavägen 69, 224 74 LUND

Förordnandet avser

att såsom god man enligt 11 kap 2 § föräldrabalken bevaka Olof Torpers rätt vid bortredning samt vid bodelning och skifte eller ingående av avtal om sammanlevnad i oskiftat dödsbo avseende dödsboet efter Anneli Marie Tallberg Torper, Drapavägen 69, LUND

God man (namn, yrke, hemvist och postadress)	Datum för förordnande	nummer	Datum för entledigande	nummer
Tallberg, Tommy, 401112-4510, Nyckelkroken 25, 226 47 LUND	1993-01-26	FM/22 <i>Guru. Bröd. hat. Inc.</i>		

God man vid bortredning samt vid bodelning och skifte eller ingående av avtal om sammanlevnad i oskiftat dödsbo/vid mottagande av gåva

I.1992 Nulsion Tr AB Barum
DV 594 A

Bouppteckn-nr	Registernamn	Kommun
	Torper, Ulf, barn	LUND

LUNDS TINGSRÄTT

Avskriften Kopian
E överensstämmer med originaliet

Lars Persson
Lars Persson
tingsnotarie

No. 9252
The Ministry for Foreign
Affairs in Stockholm hereby
certifies that

Mr. *LARS PERSSON*
District Court
LUND

has issued and signed the
aforesaid attestation in his
official capacity

Fee. Stockholm this
Kronor 100
18th day of August
1993

000:-
Avgift SAVGIFT

Örjan Landellius

Härmed intygas att Lars Persson egenhändigt
vidimerat denna handling och att han där till
är behörig.

Lund den 12 augusti 1993

Ex officio:

Helén Kinnman
Helén Kinnman
Notarius Publicus

Dnr 303/93
Avgift SEK 100



364

364

I, the undersigned Charlotta Kristensson, Bachelor of Arts, of Bellevuevägen 46, Malmö, Sweden, do hereby declare that I am conversant with the English and Swedish languages and a competent translator thereof, and I further declare that to the best of my knowledge and belief the following is a true and complete translation made by me of the annexed document.

Malmö, this 11th day of November 1993



Charlotta Kristensson

Law Offices of
HEDENER & PENSER
ADVOKAT LENNART HANSSON AB
ESLÖV

E S T A T E I N V E N T O R Y

Starting on 13th August 1992, an inventory has been made of the property left by Anneli Marie Tallberg Torper, Drapavägen 69, S-224 74 Lund, born on 15th September 1945 and deceased on 11th July 1992.

The deceased leaves as parties to the estate:

HER CHILDREN

1. Maria Alice Torper, 740223-3923, Drapavägen 69,
S-224 74 LUND
2. Anders Olof Torper, 760128-4032, Drapavägen 69,
S-224 74 LUND

It was noted that the following persons were present at the estate inventory proceedings: co-habitant Eskil Persson, Drapavägen 69, S-224 74 Lund, now Kastanjegatan 21:7, S-224 56 LUND, beneficiary Ulf Torper, Sångarevägen 20 E, S-224 71 LUND, as guardian of Olof Torper, and Tommy Tallberg, 401112-4510, Nyckelkroken 25, S-226 47 LUND, as proposed legal representative of Olof Torper.

It was noted that the deceased leaves a will of 25th June 1992, Encl. 1.

It was further noted that Eskil Persson has called for a division of the joint property in view of the cohabitation, Encl. 2.

The estate was accounted for by Eskil Persson. The assets and the debts were noted and evaluated as follows.

Law Offices of
HEDENER & PENSER
ADVOKAT LENNART HANSSON AB
ESLÖV

W I L L

I, Anneli Maria Torper-Tallberg, born on 15th September 1945, do hereby declare this to be my last will and testament in the manner and form following.

1. Volvo NTB 873 to Ulf Torper, 450727-....
2. 2 checked sofas to Eskil Persson, 300416-4152
3. 2 Lundquist bookshelves to Eskil Persson, 300416-4152
4. 1 Denon CD player to Eskil Persson, 300416-4152
5. 1 Tibetan mat, dragon subject, to Maria Torper 740223-3923
6. 1 doctor's ring to Olof Torper, 760128-4032

Lund, this 25th day of June 1992

Signature

Anneli Torper-Tallberg

That Anneli Torper-Tallberg, whom we know in

person, has this day, of sound mind and body and of her own free will, in our joint presence declared the above provisions as being her last will and hereinunder signed her name, is hereby certified by the undersigned as attesting witnesses.

Lund as stated above

Signature

Name: Bo Persson
Profession: Registered doctor
Address: Vegagatan 5
S-224 17 LUND

Signature

Name: Georges Guedj
Profession: Nurse
Address: Kollegiev. 134
S-224 73 LUND

309

89

Guardianship Court
LUND DISTRICT COURT

GUARDIANSHIP BOOK
of the Court - legal representative

He for whom a legal representative has been appointed (name, profession and residence; for absent party to the estate also the name and last residence of the deceased)

Torper, Anders Olof, 760128-4032, Drapavägen 69, S-224 74 LUND

The appointment concerns

to look after, as legal representative under the Children and Parents Code, Chapter 11, Sec. 2, the right of Olof Torper in the administration of the estate and in the division of the joint property and the distribution thereof or the making of an agreement on undivided possession of the estate regarding the estate of Anneli Marie Tallberg Torper, Drapavägen 69, LUND

Legal representative (name, profession, residence and postal address)	Date of the appointment 26 January 1993 FM 22 Signature	No.	Date of dismissal	No.
Legal representative in the administration of the estate and in the division of joint property and the distribution thereof or the making of an agreement on undivided possession of the estate/upon reception of a gift				
Estate Inventory No. Torper, Ulf, Child	Name of Register Municipality LUND			

LUND DISTRICT COURT
 This is a true copy
of the original

Signature
Lars Persson
Clerk of the District Court